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Attorney for the Board of Dentistry

FILED

APR 13 2000

ANTHONY N. D'AMALIA, A.J.S.C.

By: Susan Carboni  
Deputy Attorney General  
(973) 648-2894

SUPERIOR COURT OF NEW JERSEY  
CHANCERY DIVISION: HUDSON COUNTY  
DOCKET NO. C-30-00

JOHN J. FARMER, JR., ATTORNEY  
GENERAL OF NEW JERSEY; MARK S.  
HERR, DIRECTOR OF THE NEW  
JERSEY DIVISION OF CONSUMER  
AFFAIRS; and THE NEW JERSEY  
STATE BOARD OF DENTISTRY

Plaintiffs,

v.

MANUEL ROCHA,

Defendant

CERTIFIED TRUE COPY

Civil Action

CONSENT ORDER AND JUDGMENT

This matter was opened to the Court by John J. Farmer, Jr., Attorney General of New Jersey, counsel for plaintiffs, and by the New Jersey State Board of Dentistry, Deputy Attorney General Susan

Carboni appearing, pursuant to N.J.S.A. 45:1-23 and 45:6-1 et seq.. It appears, upon a review of the Verified Complaint, supporting certifications and exhibits submitted by the Attorney General that there is sufficient basis to find that defendant Manuel Rocha practiced dentistry and held himself out as a practicing dentist, and thus his conduct constituted the unlicensed practice of dentistry in violation of N.J.S.A. 45:6-13 and 45:6-19; and constituted a violation of the Consumer Fraud Act, pursuant to N.J.S.A. 56:8-2. The defendant has acknowledged that his conduct was in violation of the dentistry licensing laws, as well as the Consumer Fraud Act, and has agreed to the entry of a Consent Order and Judgment settling this matter. It further appearing that the entry of a permanent injunction against the defendant is warranted, and for good cause shown,

IT IS, on this *18<sup>th</sup>* day of *April*, 2000

HEREBY ORDERED AND AGREED THAT:

1. Defendant Manuel Rocha shall be and hereby is permanently enjoined from offering or performing any services or engaging in any practice requiring licensure in the State of New Jersey as a dentist or dental hygienist or requiring registration in the State of New Jersey as a dental assistant unless and until duly licensed or registered to do so.

2. Defendant shall be and hereby is permanently enjoined from advertising, holding himself out as duly licensed, registered

or authorized to render services in the State of New Jersey as a dentist, dental hygienist or dental assistant unless and until duly licensed, registered or authorized to render such services in this State.

3. Defendant shall be required to pay an assessment in the amount of \$11,000.00. Of this assessment, the sum of \$1000.00 is to be forwarded to the attention of Executive Director Agnes Clarke, New Jersey State Board of Dentistry, 124 Halsey Street, Sixth Floor, Newark, New Jersey 07102, and received no later than April 15, 2000. It is to be in the form of a certified check, money order or attorney trust account check made payable to the New Jersey State Board of Dentistry.

4. In the event that defendant fails to forward the abovementioned \$1000.00 payment to the Board by April 15, 2000, the full amount of the \$11,0000 assessment shall become immediately due.


5. In the event that defendant forwards the \$1000.00 payment to the Board by April 15, 2000, \$5000.00 of the \$11,000 penalty is to be permanently stayed. The remaining \$5000.00 of the agreed-upon penalty is to be forwarded to the Board no later than April 15, 2001.

6. In the event that defendant is able to recover the dental equipment confiscated by the Hudson County Police Department, he is to immediately sell or otherwise dispose of this property, and provide the Board with proof that he has done so.

7. Defendant shall provide plaintiff New Jersey State Board of Dentistry immediate notification of any change of residential address until all obligations set forth in this Order have been successfully fulfilled.

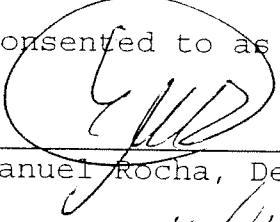
  
Arthur D'Italia, J.S.C.

JOHN J. FARMER, JR.  
ATTORNEY GENERAL OF NEW JERSEY

By:   
Susan Carboni  
Deputy Attorney General  
Counsel for Plaintiffs

Dated: April 14, 2000

Consented to as to form and entry:

  
Manuel Rocha, Defendant

Dated: 4/12/00

  
Luis Alum, Esq.

Dated 4/12/00  
Attorney for Defendant